IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 518 OF 2005
IN
SECOND APPEAL NO. 577 OF 2003

Office Notes, Office Memoranda
of of Coram, appearances, Court's
orders and Registrar's orders : Court's or Judge's orders

CORAM: P.V. KAKADE, J.

DATED: 15TH JULY, 2005

P.C.:

1. Heard both parties.

2. The application is made for certain clarification of the order passed by the Addl. District Judge, Thane, dated 11.2.2002 whereby it was directed that the plaintiff-respondent was entitled to claim interest at the rate of 6% p.m. from the date of the suit until final realisation.

It is submitted that the interest was assessed inadvertently on monthly basis instead of annual basis and, therefore, the Misc. Application No.1 of 2005 is filed before the lower appellate Court.

3. In this regard, it must be noted that

let the said application be prosecuted on merits. However, in the meantime, the applicant shall deposit the amount at the rate of 6% per annum and not per month as directed by the Addl. District Judge by order dated 11.2.2002 pending adjudication on merits of miscellaneous application pending in the lower appellate Court.

With these directions, the application stands disposed of with no order as to costs.

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